



## PROPOSED DECLARATION OF SCOTT JUST

My name is Scott Just. I am the Director Of Gaming for Lakes Gaming. Lakes Gaming is involved in the development of Gaming projects including casinos and new gaming technology.

I have reviewed the prior art cited by the patent office in opposition to the claims for a casino game involving the combination of dealing machines with traditional games substituting cards for dice.

There are several factors which dictate against the position taken that the prior art renders the present invention non-novel or obvious. In taking this position I accept for the sake of argument the concept that an expert with all of the art before him is to make this determination.

As such, experts have spent the last 10 years with these two separate technologies before them with a great demand for product substituting cards for dice due to pressing legal concerns in states such as California where card games are allowed, but not games with dice. In all of these jurisdictions at all major casinos, dealing machines performed on a daily basis.

The present invention may seem to only apply something in one part of casino, dealing machines, to something in another part, dice games, but the results are not suggested by the tremendous psychological barrier between the two parts of the gaming floor, separated as they are into slots, dice games and card games (and the card games separated further).

A similar combination which was unobvious was the combination of slots with table games such as Carribean Poker. While it might appear that both of these technologies were seen daily in a casino, the patents covering this combination have been widely recognized in the industry. In the instant case, the use of cards in a casino are well known as are dealing machine use with cards. Similarly the use of cards as dice is well seen in the prior art. However, the combination of the technologies has never been recognized and only appears obvious when looking at the art, just as the use of slots with slot machine type payouts on dice tables may appear obvious in light of hindsight.

The shuffling technology provides the following unexpected and greatly needed results over and above dealing by hand:

- 1) the modern shuffling equipment provides true random number generation vs the less accurate hand dealing;

- 2) the modern shuffling equipment allows the play of the dice games with greater efficiency and speed. These efficiencies include continuous dealing with multiple decks and random selection within a stack of cards (not just the top two cards, for example, but instead cards from any random location within a group of cards within multiple decks).

3) The shuffling machines allow for continuous play more in line with traditional dice games because of the better flow.

4) The shuffler allows for the number of hands per hour to be comparable to dice dealing which is not achievable with cards.

5) Also, the shuffler combines these benefits without the effect that dice have on the table which is disruptive due to the movement of the dice on the table.

These benefits were not previously recognized and required significant modification of the table to allow for the play to be continuous. The present invention includes these table modifications which make this type of invention possible. The alteration of table layouts is not an easily undertaken project and there is significant play factors which have to be overcome to allow this.

In short, the present invention combines two technical disclosures, both well known, but without any prior suggestion of practicing these together. In addition the layouts provide methods of play which could not be envisioned without the initial spark of recognizing the non-obvious combination.

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undersigned notary of the state of \_\_\_\_\_ county  
of \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_, 2003.

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Notary.